

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.3756 OF 2007

Mr.Sampat S.Birje. ..Petitioner.

V/s.

Shri Bhauballi Zilla Nagari
Sahakari Patsanstha Maryadit & Ors. ..Respondents.

Mr.A.S.Desai for petitioner.

Mr.Uday Warunjikar for respondent No.1.

Mr.Y.D.Mulani, AGP for respondent Nos. 2 to 4.

CORAM: A.M.KHANWILKAR, J

DATE : JULY 4, 2007.

P.C. :

1. Counsel for the petitioner fairly submits that cognate petitions being W.P.Nos.3615/2007 and 3622/2007 have been disposed of today by giving two months' time to the petitioner to deposit 50% of the recoverable dues payable by the petitioner under section 154(2A) of the Maharashtra Co-operative Societies Act, 1960. Petitioner through counsel undertakes to deposit said statutory amount before the authority within two months from today. That assurance is accepted.

2. In the circumstances, no precipitative steps be taken against the petitioner for a period of two

months from today. However, if the appropriate authority is of the view that the amount deposited by the petitioner is not in accord with the requirement of sections 154(2A) of the Act, that authority will be free to pass appropriate order on the pending revision application. Besides, it will be open to the respondent bank to proceed against the petitioner in accordance with the law after two months from today.

3. In the event of failure of the petitioner to deposit the statutory amount, as aforesaid; or the appropriate authority was to refuse to grant any interim relief to the petitioner during the pendency of the revision application after a period of two months for the reasons that may be available to pass such an order, the Respondent will be free to proceed against the Petitioner in accordance with law.

4. Petition disposed of on the above basis.